

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:	:
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MATTER OF CERTAIN CLAIMS AND	:
NOTICING AGENTS' RECEIPT OF FEES IN	:
CONNECTION WITH UNAUTHORIZED	:
ARRANGEMENTS WITH XCLAIM INC.	:
	:
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Misc. Pro. No. 22-00401(MG)

**ORDER REGARDING FURTHER PROCEEDINGS  
AND SCHEDULING SANCTIONS HEARING**

WHEREAS, pursuant to this Court's August 25, 2022 order commencing the above-captioned miscellaneous proceeding ("August 25 Order") [ECF No. 1], most of the Approved Claims Agents<sup>1</sup> filed notices describing *inter alia* their business arrangements with Xclaim, the frequency and duration of claims-data transmission to Xclaim, the Fees earned and/or paid to them by Xclaim, and other activities performed as a claims agent under 28 U.S.C. § 156(c) that the Clerk of Court would not ordinarily perform.

NOW, THEREFORE, IT IS ORDERED that, on or before 5:00 p.m., October 18, 2022, the Office of the United States Trustee shall file a letter stating its views on whether additional proceedings and/or disclosures are necessary to create a complete record in this miscellaneous proceeding.

IT IS FURTHER ORDERED that, on or before 5:00 p.m., November 4, 2022, parties in interest including the United States Trustee may each file a brief not to exceed twenty (20) double-spaced pages outlining what sanctions, if any, should be imposed on the Approved Claims Agents that were party to a Synchronization Agreement with Xclaim or otherwise performed activities as a claims agent under 28 U.S.C. § 156(c) that the Clerk of Court could not perform.

IT IS FURTHER ORDERED that a hearing to determine appropriate sanctions ("Hearing") will be held *in person* on November 17, 2022, at 3:00 p.m., in courtroom 523 of the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, NY 10004.

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<sup>1</sup> Undefined terms used herein have the meanings ascribed to them in the August 25 Order.

IT IS FURTHER ORDERED that all persons wishing to attend the Hearing must (i) be fully vaccinated against COVID-19 as defined by the Center for Disease Control and Prevention and provide proof of vaccination status when they arrive at the courthouse, and (ii) wear a mask while in the courtroom that covers the person's nose and mouth unless speaking at the podium or otherwise instructed by court personnel. Persons who are not fully vaccinated but wish to participate in the Hearing should contact chambers for accommodations.

IT IS FURTHER ORDERED that all persons making a formal appearance at the Hearing should register such appearance at least one business day prior to the Hearing using the eCourt Appearance tool (<https://www.nysb.uscourts.gov/ecourt-appearances>).

IT IS FURTHER ORDERED that the Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated: September 30, 2022  
New York, NY

/s/ Martin Glenn  
MARTIN GLENN  
Chief United States Bankruptcy Judge